

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

CARNELL D. MCELROY, SR., )  
Plaintiff, ) Case No. 7:16CV00245  
v. )  
FINAL ORDER  
HAROLD W. CLARKE, ETC., ET AL., ) By: James P. Jones  
Defendants. ) United States District Judge

For the reasons set forth in the Opinion accompanying this Final Order, it is  
**ORDERED** as follows:

1. The defendants' Motion for Summary Judgment (ECF No. 22) is GRANTED on the ground that the plaintiff failed to exhaust administrative remedies as required under 42 U.S.C. § 1997e(a) as to his first three claims, and they are DISMISSED WITH PREJUDICE;
2. The plaintiff's fourth claim, concerning the April 2016 finding that he was ineligible for reinstatement to the Common Fare until 2019, is DISMISSED WITH PREJUDICE under 28 U.S.C. § 1915A(b)(1) for failure to state a claim; and
3. The plaintiff's action is DISMISSED and the clerk shall close the case.

ENTER: June 14, 2017

/s/ James P. Jones  
United States District Judge